

IN THE INDIANA SUPREME COURT

In the Matter of a Caseload Allocation Plan for Knox County

PROPOSED KNOX COUNTY CASELOAD ALLOCATION PLAN

May 29, 2008

The Judges of the Knox Circuit Court, the Knox Superior Court 1, and the Knox Superior Court II, pursuant to Trial Rule 81(D), now find that good cause exists to deviate from the schedule established by the Division of State Court Administration for the publishing of local rules and find that the foregoing rule shall be adopted as a local court rule in compliance with the provisions of Trial Rule 81(A). After approval by the Division of State Court Administration, the posting for 30 days in the Knox County Clerk's Office and on the Knox County Clerk's website, and on the Indiana Judicial website, Knox County Local Rule #LR41-AR00-3.4, as set forth above, shall become effective July 1, 2008.

In conformance with the Order of the Indiana Supreme Court, the Judges of the Knox County Courts submit their proposed Knox County Caseload Allocation Plan as follows:

1. On or before April 1 of each year, the Judges of the Knox County Courts shall meet to review the Weighted Caseload Measures statistics as calculated by the Division of State Court Administration from the preceding calendar year.

The utilization percentage between the Courts shall be re-evaluated yearly to assess what actual disparities may exist. In the event the utilization percentages of the Courts are within forty percentage points (40%) of each other, it shall be presumed that no action is necessary to reduce the disparity. If the utilization percentage between the Courts differs by more than forty percentage points (40%) in a calendar year, it shall be presumed that the disparity must be reduced.

2. Should action be required to reduce a disparity in caseload, the Judges may agree to accomplish the reduction in any reasonable manner.

3. The Knox Superior Court II shall no longer accept "PL" (civil plenary), "MF" (mortgage foreclosures), and "CT" (civil tort) filings. Instead, these cases shall be filed in the Knox Circuit Court or in the Knox Superior Court 1.

4. Eviction cases shall continue to be filed in the Knox Superior Court II, but, effective immediately, eviction cases shall be filed as a "SC" (small claims) filing rather than as an "MI" (miscellaneous) filing.

5. Effective July 1, 2008, the Knox Superior Court II shall no longer accept pro se Petitions for Dissolution of Marriage. Instead, pro se Petitions for Dissolution must be filed in the Knox Circuit Court or the Knox Superior Court 1.

6. That a new Local Rule has been prepared to reflect these changes and is being sent to the Division of State Court Administration for approval. The Judges of the Knox County Courts believe that the caseload allocation adjustments set forth above will bring Knox County into compliance with the requirements of Administrative Rule 1(E) and seek approval of this plan.

Dated this 29th day of May, 2008.

Sherry L. Biddinger Gregg
Judge, Knox Circuit Court

W. Timothy Crowley
Judge, Knox Superior Court 1

Jim R. Osborne
Knox Superior Court II

LR42-AR00-3.4

LOCAL RULE CONCERNING CASELOAD ALLOCATION PLAN

This rule is adopted pursuant to the inherent powers of these Courts and in order to comply with the provisions of Administrative Rule 1(E) enacted by the Indiana Supreme Court on January 1, 2006. This rule governs the assignment of cases in the three Knox County Courts as follows:

1. On or before April 1 of each year, the Judges of the Knox County Courts shall meet to review the Weighted Caseload Measures statistics as calculated by the Division of State Court Administration from the preceding calendar year. The utilization percentage between the Courts shall be re-evaluated yearly to assess what actual disparities may exist. In the event the utilization percentages of the Courts are within forty percentage points (40%) of each other, it shall be presumed that no action is necessary to reduce the disparity. If the utilization percentage between the Courts differs by more than forty percentage points (40%) in a calendar year, it shall be presumed that the disparity must be reduced.
2. Should action be required to reduce a disparity in caseload, the Judges may agree to accomplish the reduction in any reasonable manner.
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LR42-CR00-4.0

PRO SE DISSOLUTIONS

A pro se Petition for Dissolution may be filed in either the Knox Circuit Court or the Knox Superior Court 1 ~~or the Knox Superior Court II~~ at the discretion of the Petitioner. If a dissolution (DR) petitioner has no preference concerning the choice of Court, the case shall be assigned on a rotating basis to the Knox Circuit Court or the Knox Superior Court 1. Effective July 1, 2008, the Knox Superior Court II will not accept pro se dissolution petitions.